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Counsel for Plaintiff  
United States of America

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,	)	2:17-mj-00683-CWH
	)	
Plaintiff,	)	
	)	STIPULATION TO CONTINUE
vs.	)	PRELIMINARY HEARING
	)	( <i>Sixth Request</i> )
SEHDEV et al,	)	
	)	
Defendant.	)	
	)	

**STIPULATION TO CONTINUE PRELIMINARY HEARING**

IT IS HEREBY STIPULATED AND AGREED, by and between STEVEN W. MYHRE, Acting United States Attorney, and Alexandra Michael., Assistant United States Attorney, counsel for the United States of America, Thomas David Boley, Esq., counsel for Defendant JOSE LUIS MONTOYA and Brian Smith, Esq., counsel for Defendant ASHOK KUMAR SEHDEV, that the preliminary hearing for the above-captioned matter, currently scheduled for June 15, 2018, at the hour of 4:00 p.m., be vacated and continued to a date and time convenient for this Court, but in no event earlier than thirty (30) days.

This stipulation is entered for the following reasons:

1. Tom Boley, Esq., counsel for Defendant JOSE LUIS MONTOYA needs additional time review discovery and prepare for the preliminary hearing.

1           2.       Brian Smith, Esq., counsel for Defendant ASHOK KUMAR SEHDEV and the  
2 government submitted a fully executed plea agreement and related documents to the Clerk's  
3 office on June 12, 2018, but are still awaiting a date and time for a change of plea hearing.

4           3.       Both Defendants are in custody and they do not object to the continuance.

5           4.       The parties all agree to the continuance.

6           5.       Denial of this request for continuance of the preliminary hearing would  
7 potentially prejudice both the Defendant and the Government and unnecessarily consume this  
8 Court's valuable resources, taking into account the exercise of due diligence.

9           6.       Additionally, denial of this request for continuance could result in a miscarriage  
10 of justice.

11          7.       The additional time requested by this stipulation is excludable in computing the  
12 time within which the defendant must be indicted and the trial herein must commence pursuant  
13 to the Speedy Trial Act, 18 U.S.C. §§ 3161(b) and 3161(h)(8)(A), considering the factors under  
14 18 U.S.C. § 3161(h)(8)(B)(i) and (iv).

15          8.       This is the sixth request for a continuance of the preliminary hearing herein.  
16 DATED: June 14, 2018.

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18           /s/\_\_\_\_\_  
19 ALEXANDRA MICHAEL  
20 Assistant United States Attorney  
21 Counsel for the United States

          /s/\_\_\_\_\_  
THOMAS DAVID BOLEY  
Counsel for Defendant JOSE LUIS MONTROYA

22           /s/\_\_\_\_\_  
23 BRIAN SMITH  
24 Counsel for Defendant ASHOK KUMAR SEHDEV  
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1  
2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA  
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5 \* \* \*

6 UNITED STATES OF AMERICA, ) 2:17-mj-00683-CWH  
7 )  
8 Plaintiff, ) **ORDER CONTINUING**  
9 ) **PRELIMINARY HEARING**  
10 vs. )  
11 SEHDEV et al, )  
12 Defendant. )  
13

14 **ORDER**

15 Based on the pending Stipulation of counsel, and good cause appearing therefore, **IT IS**  
16 **HEREBY ORDERED**, that the preliminary hearing in the above-captioned matter, currently  
17 scheduled for June 15, 2018, at the hour of 4:00 p.m., be vacated and continued to  
18 August 6, 2018, 2018 at the hour of 4:00 p.m. l.

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20 UNITED STATES MAGISTRATE JUDGE  
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